



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,880	07/31/2000	James S. Rosen	COMET-003XX	4970

207 7590 03/25/2004

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP
TEN POST OFFICE SQUARE
BOSTON, MA 02109

EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
----------	--------------

2151

10

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,880

Applicant(s)

ROSEN ET AL.

Examiner

Khanh Dinh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Transitional After Final Practice

1. Since this application is eligible for the transitional procedure of 37 CFR 1.129(a), and the fee set forth in 37 CFR 1.17(r) has been timely paid, the finality of the previous Office action is hereby withdrawn pursuant to 37 CFR 1.129(a). Applicant's submission after final filed on 3/2/2004 (paper # 9) has been entered.
2. Claims 1-27 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-27 are rejected under 35 U.S.C. 102(a) as being anticipated by Ferguson et al., US pat. No.5,819,092.

As to claim 1, Ferguson discloses a method for enabling information associations comprising:

parsing a document (i.e., a hypermedia document that containing images or services), said document including a number of objects (i.e., download, purchase, rent, reserve) and forming a list of those of said objects in said document for which related information is available and presenting said list to a user (i.e., user initiating an

Art Unit: 2151

electronic transaction using an online service) (see abstract, figs.1, 12, col.8 line 4 to ocl.9 line 53).

detecting selection of one of said objects in said list by said user and searching a database (i.e., accessing the electronic databases that contain the relevant data) for information regarding said selected one of said objects in said list and displaying information from said database related to said selected one of said objects in said list to said user (displaying hypermedia documents to users, see fig.5, col.9 line 9 to col.10 line 61 and col.15 lines 25-59).

As to claim 2, Ferguson discloses providing visual indication to said user of those of said objects in said document within said list (see col.10 line 24 to col.11 line 45 and col.14 lines 20-62).

As to claim 3, Ferguson discloses detecting an operation in which said document is loaded into an application program and wherein said forming of said list of said objects for which related information is available is responsive to said detecting of said operation in which said document is loaded into said application program, and wherein said forming of said list comprises comparing objects within said document with entries in a dictionary data structure (using the Lookup Designer 414 fig.4 to search for contents of a Reference Service by name or entry or user-predefined keywords such as a dictionary, see fig.4, col.14 line 20 to col.15 line 38 and col.16 lines 5-52).

Art Unit: 2151

As to claim 4, Ferguson discloses that one of said objects within said document in said list in the event that said object within said document matches one of said entries in said dictionary (see figs.4, 5, col.14 line 20 to col.15 line 38 and col.16 lines 5-52).).

As to claims 5 and 6, Ferguson discloses downloading of said document onto a local system using a browser program (using a browser client software) and loading said document into a word processor program (using the Hypermedia Document Converter, see col.8 lines 3-53 and col.17 line 65 to col.18 line 49).

As to claims 7 and 8, Ferguson discloses loading said document into an email program and detecting select on of said indication of said at least one related resource by said user; and outputting content associated with said at least one related resource in response to said detecting selection of said indication of said at least one related resource (using an email for Directory Lookup subservices, see col.23 line 11 to col.24 line 51).

As to claim 9, Ferguson discloses at least one related resource comprises a uniform resource locator associated with said related resource (providing the URL of the other online service, see col.24 lines 7-55 and col.26 lines 8-50).

Art Unit: 2151

As to claims 10 and 11, Ferguson discloses at least one related resource from said database comprises streaming audio information (see col.14 line 20 to col.15 line 38 and col.21 lines 8-65).

As to claim 12, Ferguson discloses monitoring user activities on a local system activities indicating whether a user of said local system is interested in said document and determining a rating of said document in response to said monitoring of said activities on said local system and storing said rating of said document in association with said document, wherein said rating determines, at least in part, a likelihood that said document will be displayed in response to a search of said database (i.e., metering of user usage patterns for the online service, see col.12 lines 6-55 and col.13 line 13 to col.14 line 62).

Claims 13-24 are rejected for the same reasons set forth in claims 1-12 respectively.

Claims 25 and 27 are rejected for the same reasons set forth in claim 1.

Claim 26 is rejected for the same reasons set forth in claim 1. As to the added limitations, Ferguson discloses a client computer system (160 fig.1), said client computer system including a processor coupled to a memory (see figs.1, 3, col.7 line 58 to col.8 line 52 and col.17 lines 28-67).

Response to Arguments

5. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Claims 1-27 are *rejected*.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on (703) 305-4792. The fax phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2151
4/15/2004


FRANTZ B. JEAN
PRIMARY EXAMINER